

Resolution Number: 30091

A RESOLUTION amending Resolution 29977 concerning the Cedar River Watershed Habitat Conservation Plan, authorizing certain changes in the Plan.

Date introduced/referred: Nov 29, 1999

Date adopted: Dec 6, 1999

Status: Adopted

Vote: 9-0

Committee: Utilities and Environmental Management

Sponsor: PAGELER

Index Terms: CEDAR-RIVER, WATERSHEDS, ENVIRONMENTAL-PROTECTION, NATIVE-AMERICANS

References/Related Documents: Amending: Res 29977

Text

**Note to users: {- indicates start of text that has been amended out
-} indicates end of text that has been amended out
{+ indicates start of text that has been amended in
+} indicates end of text that has been amended in**

A RESOLUTION amending Resolution 29977 concerning the Cedar River Watershed Habitat Conservation Plan, authorizing certain changes in the Plan.

WHEREAS, the City Council, through Resolution 29977 directed the Director of Seattle Public Utilities, in cooperation with the Superintendent of Seattle City Light, to prepare a Final Habitat Conservation Plan (HCP) for the Cedar River Municipal Watershed substantially as set forth in the Draft HCP dated December 1998 with modifications as described in Exhibit A to that resolution; and

WHEREAS, the Mayor has continued to engage in discussions with the Muckleshoot Indian Tribe regarding their concerns with the HCP; and

WHEREAS, the City has consulted with both the National Marine Fisheries Service and the Department of Interior concerning the adequate representation of tribal concerns and interests; and

WHEREAS, the Mayor and City Council acknowledge that the Muckleshoot Indian Tribe as a sovereign government and as co-manager of the fisheries resource on the Cedar River should be a participant on the HCP Oversight Committee, the Anadromous Fish Committee and the Instream Flow Commission as a full member to facilitate ongoing representation of tribal concerns and interests; and

WHEREAS, a long-term systematic implementation of water conservation

programs is the most visible way that the City can show its commitment to manage the Cedar River within current ranges of diversions for the next five to ten years; and

WHEREAS, the agreements that are part of the Cedar River HCP are not intended to abrogate any rights the Muckleshoot Indian Tribe may have under tribal treaties or the Winters Doctrine.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, THAT:

Section 1. Exhibit A, attached to Resolution 29977, which describes changes to be made in the Final HCP, is amended as described below.

Section 2. The "box" labeled "How the Draft HCP will be Modified for Flows: Additional Changes Adopted by Council" is amended by the addition of a sentence at the end of the first bulleted item reading, "This section shall also commit the City to implement the "Regional 1% Conservation Initiative" for both Seattle's retail and wholesale customers."

Section 3. The "box" labeled "How the Draft HCP will be Modified for Implementation: Additional Changes Adopted by Council" is amended by the addition of the following two items:

Make the Muckleshoot Indian Tribe a full member of the HCP Oversight Committee, the Anadromous Fish Committee, and the Instream Flow Commission.

Add language to the Implementation Agreement indicating that it is not intended to abrogate any rights the Muckleshoot Indian Tribe may have under tribal treaties or the Winters Doctrine.

Adopted by the City Council the ____ day of _____, 1999,
and signed by me in open session in authentication of its adoption
this ____ day of _____, 1999.

President _____ of the City Council

Filed by me this ____ day of _____, 1999.

City Clerk

THE MAYOR CONCURRING:

Mayor

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(Seal)

SSM:KF

(Ver. 1)